

Exhibit 3

Griffin, Mark

From: Griffin, Mark
Sent: Thursday, November 30, 2023 12:54 PM
To: Andrew Geronimo; Scalish, Rachel; Melnyk, Stephanie; Aston, Patricia
Cc: Sara Coulter; Siobhan Gerber; Nneka Onyekwuluje - Kramer Clinic; Brooke White - Kramer Clinic; Hannah Scifres - Kramer Clinic; Jacob Cohen - Kramer Clinic; Patrick Elliott - Kramer Clinic
Subject: RE: Chris Martin's potential claims against Cleveland City Council

Mr. Geronimo:

Thank you for your email regarding Cleveland City Council's public comment period.

As Law Director, I represent City Council in legal proceedings. Please direct future communications to me at this email address.

I would like to extend again an invitation to your client to participate in the public comment period at City Council.

I would also like to reaffirm that the City is only enforcing the pre-registration requirement, the limit of ten (10) public commenters, and the 3-minute time limitation.

Although you may not always see the on-going City operations, your letter and our video conversation have been taken into serious consideration.

As the City continues to improve and re-evaluate its process for promoting public comment, City Council is working to amend and update its Public Comment Rules and Procedures.

Best Regards,

Mark Griffin
Cleveland Law Director

From: Andrew Geronimo <acg33@case.edu>
Sent: Tuesday, November 28, 2023 1:37 PM
To: Scalish, Rachel <rscalish@clevelandcitycouncil.org>; Griffin, Mark <MGriffin@clevelandohio.gov>; Melnyk, Stephanie <smelnyk@clevelandohio.gov>; Aston, Patricia <PAston@clevelandohio.gov>
Cc: Sara Coulter <sec142@case.edu>; Siobhan Gerber <sao27@case.edu>; Nneka Onyekwuluje - Kramer Clinic <nonyekwuluje-lawclinic@case.edu>; Brooke White - Kramer Clinic <bwhite-lawclinic@case.edu>; Hannah Scifres - Kramer Clinic <hscifres-lawclinic@case.edu>; Jacob Cohen - Kramer Clinic <jcohen-lawclinic@case.edu>; Patrick Elliott - Kramer Clinic <pellott-lawclinic@case.edu>
Subject: Chris Martin's potential claims against Cleveland City Council

Dear Attorney Scalish,

Yesterday afternoon following the City Council Caucus meeting, Councilor Joe Jones asked for my card (which I gave him), and also gave me his contact information. He wanted to discuss the First Amendment and public comment policies, but I told him that since I was representing Mr. Martin and I believed you represented him in his capacity as a Member of Council, that I couldn't speak to him about the substance of how the First Amendment applies at public comment periods--even generally. As we offered in our correspondence, we would be happy to have a substantive discussion about Council's proposals for revising its policies in connection with Mr. Martin's potential claims against City Council/Members of Council, but I think you would have to arrange that meeting or, if you prefer, give us permission under Prof. Cond. R. 4.2 to speak to either the body as a whole, or to any individual Councilmembers who are interested.

It has been several weeks since our November 3 Letter that provided substantive analysis of the existing policy--and nine weeks since Council President Griffin censored Mr. Martin pursuant to Council's clearly unconstitutional policies. Based on Council's lack of communication since that Letter (even when we attended the November 13 and 27 Caucus Meetings), we were under the impression that Cleveland City Councilmembers are not interested in engaging with us further about the constitutionality of any proposed revisions (which is why I was somewhat surprised when Councilor Jones attempted to solicit our input following the November 27 Caucus meeting). If that is not the case, please let us know as soon as possible.

In our November 3 Letter, we wrote that Mr. Martin hoped that our recommendations would help resolve the issue of his claims related to the serious constitutional violation on September 25, and as to the unconstitutionality of the policy generally. At the start of this process, Mr. Martin hoped for an "efficient and productive" resolution wherein my office would work with City Council for an acceptable solution. But he is also prepared to enforce his rights through the Courts if our pre-litigation efforts were not productive (which they seem not to have been). To that end, Mr. Martin is prepared to file a civil rights lawsuit in the United States District Court for the Northern District of Ohio seeking damages resulting from the September 25 violation of his First Amendment rights, an order enjoining City Council from enforcing its unconstitutional policies, and other relief.

If there is any other information City Council or any individual Councilmember would like to provide Mr. Martin to aid in his decisionmaking process, please let me know within 48 hours of this email. Please also let us know if you will agree to accept service for any individually-named Councilmembers in the event Mr. Martin believes he needs to file a lawsuit to enforce his rights.

Thank you,
Andy

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Andrew Geronimo
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